

09/310,844



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In

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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EXAMINER

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SHIBUYA, M

ART UNIT

PAPER NUMBER

1635

9

DATE MAILED:

09/28/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Please see attached

Art Unit: 1635

Nucleotide and/or Amino Acid Sequence Disclosure

1. This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CFR 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 CFR 1.821 through 1.825 for the following reason(s): The claims and the text of the specification discloses nucleotide or amino acid sequences but the this application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c). Also, a copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
2. Claims 31-34, 56-59, 81-86, and 108-113 recite nucleotide sequences of ten or more nucleotides.
3. The specification at p. 71, line 21, p. 144, lines 4, 8, 10, 12, 14, p. 145, lines 20-21, 25, 27, 29, p. 146, lines 27-28, 30, p. 147, lines 1, 3, 23, 25, 27, 29, p. 149, lines 10-11, 15-16, p. 150, lines 12, 15, p. 151, lines 17-18, 21-22, 24, 26, p. 152, lines 22, 25, 27, 29, p. 153, line 30, p. 154, lines 2, 4-5, p. 155, lines 2, 5-6, p. 182, lines 4, 7-8, discloses nucleotide sequences of ten or more nucleotides.
4. In the Drawings, Figures 13, 36, 40, 43, 44, 46, 47, 48, 49, 50, 51, 63, 65, 66, 67, 71, 72, 73, 74, 75, 78, 79, 80, 81, 82, 83, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 9697, 98, 99, 100, 101, 102, 103, 104, 105, 106, 111, 112, 113, 114, 115, 118, 119, 120, 121, 122, 123, 125, 126, 127,

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130, 131, 132, 133, 134, 135, 136, 149, 152, disclose nucleotide sequences of ten or more nucleotides.

5. Applicant must provide:

- a. An initial computer readable form (CRF) copy of the "Sequence Listing".
- b. An initial paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- c. A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

6. The instant application was filed on or after July 1, 1998, and so is subject to the revised sequence rules, (*see*, MPEP 2421.01). The applicant is further directed to Administrative Instructions Under the PCT, July 1998, Annex C, Appendix 2, for direction in preparing the Sequence Listing.

7. Applicant must amend the claims, text of the specification and/or the cited Figures so as to comply with the revised sequence rules.

8. Applicant is required to comply with the corrections for the sequence listing, claims, text of the specification, and/or the Figures, as per above as part of a complete response to this official action.

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9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to *Mark L. Shibuya (SRC), Ph.D.*, whose telephone number is (703) 308-9355.
10. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *George Elliott, Ph.D.* may be reached at (703) 308-4003.
11. Any inquiry of a general nature or relating to the status of this application should be directed to the *Group receptionist* whose telephone number is (703) 308-0196.

msy
Mark L. Shibuya
Patent Examiner
Technical Center 1600
September 20, 2000


ROBERT A. SCHWARTZMAN
PRIMARY EXAMINER